#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.:

09/864,510

Confirmation No.:

2445

Filing Date:

May 24, 2001

Inventors:

Murphy et al.

Title:

VENTRICULAR

RESTORATION SHAPING APPARATUS AND METHOD

OF USE

Examiner:

R. A. Lewis

Group/Art Unit:

3732

Atty. Dkt. No.: 5838-00300

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

ONDER

DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patente Alexandria, VA 22314

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## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

Sir:

It is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of U.S. Patents and U.S. Patent Applications are not required and have not been provided. Copies of documents GG1-GG14 are enclosed for the convenience of the Examiner.

Enclosed is a fee authorization form for the filing of this Information Disclosure Statement. Should any further fees be required, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5838-00309/EBM.

Respectfully submitted,

Eric B. Meyertons Reg. No. 34,876

Attorney for Applicants

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

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Austin, Texas 78767-0398

Ph: (512) \$53-8800 Fax: (512) 853-8801

Date: /// Au 1. 1/2/



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### **FEE AUTHORIZATION**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 15-1505/5838-00300/EBM:

Information Disclosure Statement Fee

\$180.00

**TOTAL AMOUNT:** 

\$180.00

The Commissioner is also authorized to charge any extension fee or other fees that may be necessary to the same account number.

Respectfully submitted,

Fric H. Meyertons

Reg. No. 34,876 Attorney for Applicants

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

P.O. Box 398

Austin, Texas 78767-0398 Ph: (512) 853-8800

Fax: (512),853-880

Date:

Form PTO-1449 (modified)
List of Patents and Publication
For Applicant's Information
Disclosure Statement

(Use several sheets if necessary)

A**X**YY. DKT. NO. 5838-00300

SERIAL NO. 09/864,510

APPLICANT: Murphy et al.

**GROUP: 3732** 

FILING DATE: May 24, 2001

CONF. NO.: 2445

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EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		6702763	03/09/2004	Murphy et al.			
		6726696	04/27/2004	Houser et al.			
		6681773	01/27/2004	Murphy et al.			

#### U.S. PUBLISHED APPLICATIONS

EXAM. INITIALS	REF. DES.	PUBLICATION NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		20030181940	9/25/2003	Murphy et al.			
		20020133227	9/19/2002	Murphy et al.			
		20030050659	3/13/2003	Murphy et al.			
		20030045896	3/6/2003	Murphy et al.			
		20020198603	12/26/2002	Buckberg et al.			
		20040249408	12/9/2004	Murphy et al.			
		20040243170	12/2/2004	Murphy et al.			

# OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

l e	
GG1	International Search Report for PCT/US02/16304 mailed August 22, 2002 (Atty. Docket No.: 5838-00901).
GG2	G. D. Buckberg, "Congestive Heart Failure: Treat the Disease, Not the Symptom—Return to Normalcy" J Thorac Cardiovasc Surg, April, 2001, Vol. 121, No. 4, p. 628-637.
• • • • • • • • • • • • • • • • • • •	C. L. Anthanasuleas et al., "Surgical Anterior Ventricular Endocardial Restoration (SAVER) in the Dilated Remodeled Ventricle After Anterior Myocardial Infarction" Journal of the American College of Cardiology, April, 2001, Vol. 37, No. 5, p. 1199-1209.
GG4	Pending claims for Patent Application No.: 10/454,978 (Atty. Docket No.: 5838-00902), published as Publication No.: 20030192561.
GG5	Pending claim set for a recently filed (April 25, 2005, Atty. Docket No.: 5838-00906) Continuation of Patent Application No.: 10/454,978 (Atty. Docket No.: 5838-00902), published as Publication No.: 20030192561.
	Pending claim set for Patent Application No.: 09/864,793 (Atty. Docket No.: 5838-01000), published as Publication No.: 20020133227.

#### **EXAMINER:**

#### DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Page 2 of 2

Form PTO-1449 (modified) C : ATTY. DKT. NO. 5838-00300					SER	SERIAL NO. 09/864,510			
List of Patents and Publications				GROUP: 3732					
For Applicant's Information  Disclosure Statement  APPLICANT: Murphy et al.  2005						701. 3732			
(U	se sever	al sheets if necessary	FILING DA	TE: May 24, 2001	CON	IF. NO.: 24	145		
	RADEMARY U.S. PATENTS								
EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
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	FOREIGN PATENT DOCUMENTS								
EXAM. INITIALS	REF. DES.								
	GG7	02/19917 A1	3/14/2002	WO					
	GG8	02/094136 A1	11/28/2002	wo					
		OTHER ART (Inclu	iding Author	, Title, Date, Pertinent F	ages, E	tc.)			
		Pending claim set for Patent Application No.: 10/350,297 (Atty. Docket No.: 5838-01101), published as Publication No.: 20030181940.							
	GG10	Pending claim set and specification for Patent Application No.: 10/502,740 (Atty. Docket No.: 5838-01205).							
	GG11	Pending claim set and specification for Patent Application No.: 10/164,146 (Atty. Docket No.: 5838-01400).							
		Pending claims for Patent Application No.: 10/235,295 (Atty. Docket No.: 5838-01800), published as Publication No.: 20040249408.							
	GG13	Pending claim set for Patent Application No.: 10/235,295 (Atty. Docket No.: 5838-01801), published as Publication No.: 20040243170.							
	GG14	Pending claim set and specification for Patent Application No.: 11/032,514 (Atty. Docket No.: 5838-01803).							

**EXAMINER:** 

DATE CONSIDERED: